



Attorney Docket No. 001560-308

Patent

1638  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Toshihiko Ashikari et al.

Group Art Unit: 1638

Application No.: 08/894,356

Examiner: Medina Ahmed Ibrahim

Filing Date: August 18, 1997

Confirmation No.: 8892

Title: GENE ENCODING A PROTEIN HAVING ACYL GROUP TRANSFER ACTIVITY

AMENDMENT/REPLY TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed is a reply for the above-identified patent application.

- ☒ A Petition for Extension of Time is also enclosed.
- ☐ Terminal Disclaimer(s) and the ☐ \$55.00 (2814) ☐ \$110.00 (1814) fee per Disclaimer due under 37 C.F.R. § 1.20(d) are also enclosed.

☐ Also enclosed is/are \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- ☐ Small entity status is hereby claimed.
- ☐ Applicant(s) requests continued examination under 37 C.F.R. § 1.114 and enclose the ☐ \$385.00 (2801) ☐ \$770.00 (1801) fee due under 37 C.F.R. § 1.17(e).
- ☐ Applicant(s) requests that any previously unentered after final amendments not be entered. Continued examination is requested based on the enclosed documents identified above.
- ☐ Applicant(s) previously submitted \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ on \_\_\_\_\_  
for which continued examination is requested.
- ☐ Applicant(s) requests suspension of action by the Office until at least \_\_\_\_\_, which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.
- ☐ A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (1809/2809) is also enclosed.

- ☒ No additional claim fee is required.
- ☐ An additional claim fee is required, and is calculated as shown below.

| AMENDED CLAIMS   |               |   |              |                    |                |
|--|---------------|---|--------------|--------------------|----------------|
|  | No. of Claims | Highest No. of Claims Previously Paid For | Extra Claims | Rate               | Additional Fee |
| Total Claims   | 45            | MINUS 54 =                                | 0            | x \$18.00 (1202) = | \$ 0.00        |
| Independent Claims   | 3             | MINUS 4 =                                 | 0            | x \$86.00 (1201) = | \$ 0.00        |
| If Amendment adds multiple dependent claims, add \$290.00 (1203)                                 |               |   |              |                    |                |
| Total Claim Amendment Fee  |               |   |              |                    | \$ 0.00        |
| <input type="checkbox"/> Small Entity Status claimed - subtract 50% of Total Claim Amendment Fee |               |   |              |                    | \$ 0.00        |
| <b>TOTAL ADDITIONAL CLAIM FEE DUE FOR THIS AMENDMENT</b>   |               |   |              |                    | <b>\$ 0.00</b> |

- ☐ A check in the amount of \_\_\_\_\_ is enclosed for the fee due.
- ☐ Charge \_\_\_\_\_ to Deposit Account No. 02-4800.
- ☐ Charge \_\_\_\_\_ to credit card. Form PTO-2038 is attached.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

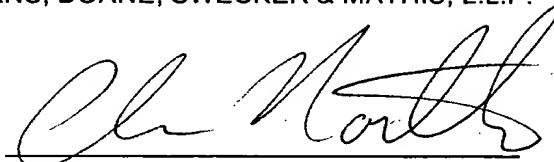
Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

Date: September 9, 2004

By



Christopher L. North, Ph.D.  
Registration No. 50,433



Patent  
Attorney's Docket No. 001560-308

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|                              |   |                                |
|------------------------------|---|--------------------------------|
| In re Patent Application of  | ) | <b>Mail Stop: AMENDMENT</b>    |
| Toshihiko Ashikari et al.    | ) |                                |
| Application No.: 08/894,356  | ) | Group Art Unit: 1638           |
| Filed: August 18, 1997       | ) | Examiner: Medina Ahmed Ibrahim |
| For: GENE ENCODING A PROTEIN | ) | Confirmation No.: 8892         |
| HAVING ACYL GROUP TRANSFER   | ) |                                |
| ACTIVITY                     | ) |                                |
|                              | ) |                                |

**AMENDMENT & REPLY**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated March 9, 2004, Applicants present the following Amendment and Reply, which is being filed on September 9, 2004 and is accompanied by a Petition for Extension of Time of Three months. The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800.

Please amend the above-identified patent application as follows: